



#11  
Petition  
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BR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/647,272  
Applicant : Davies et al.  
Int'l Filing Date : 18 May 1999  
Title : METHODS AND  
COMPOSITIONS FOR  
WATER CONTROL  
TC/A.U. : 3672  
Examiner : Neuder, William P.  
Docket N° : 57.0286 PCT US

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, P. O.  
Box 1450, Alexandria, VA 22313, on November 4, 2003

  
Sherri Sitzmann

**REQUEST FOR RECONSIDERATION OF ABANDONMENT  
UNDER 37 C.F.R. §1.181(A)**

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NOV 13 2003

**GROUP 3600**

Commissioner of Patents  
Mail Stop: Petitions  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration by the Commissioner under 37 C.F.R. 1.181(a) of the holding of abandonment of the above entitled case, based on the following:

- (1) Applicants received an Office Action dated January 7, 2003.
- (2) Applicants responded to said Office Action on April 25, 2003 (attached as Exhibit A) by facsimile. This response was accompanied by a Request for One Month Extension of Time. A copy of the facsimile transmittal page is included herewith as Exhibit B.
- (3) Applicants received a Notice of Abandonment dated October 8, 2003 (attached as Exhibit C).

(4) Applicants have filed this Request for Reconsideration within two (2) months of receiving the Notice of Abandonment, as required by 37 C.F.R. 1.181(f).

In consideration of these facts, Applicants respectfully request that the Commissioner withdraw the holding of abandonment for this case. It is believed that no fee is due this response, however, in the event a fee is necessary, the Commissioner is authorized to charge Deposit Account No. 19-0615(57.0286) in the amount of any applicable fee.

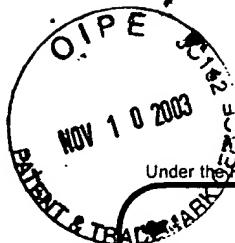
Respectfully submitted,



Stephen Schlather  
Registration No.: 45,081  
Attorney for Applicant

Date: 04 NOV 03  
Schlumberger Technology Corporation  
110 Schlumberger Drive, MD1  
Phone: 281-285-4524  
Fax: 281-285-8569

# Exhibit A



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/647,272
		Filing Date	November 20, 2000
		First Named Inventor	Stephen Davies
		Group Art Unit	3672
		Examiner Name	Neuder
Total Number of Pages in This Submission	57.0286		

### ENCLOSURES (check all that apply)

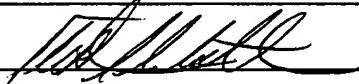
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

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GROUP 30

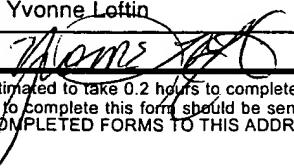
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Stephen Schlather
Signature	
Date	April 25, 2003

### CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via Facsimile to: Commissioner for Patents, Washington, DC 20231 on:

April 25, 2003

Typed or printed name	Yvonne Loftin
Signature	
Date	April 25, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## \* \* \* COMMUNICATION RESULT REPORT (APR. 25. 2003 8:27AM) \* \* \*

FAX HEADER:

TRANSMITTED/STORED : APR. 25. 2003 8:25AM  
FILE MODE: **TYPE** **OPTION**

ADDRESS

RESULT

PAGE

538 MEMORY TX

G3 : 917033057687

OK

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## Exhibit B

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER  
E-5) MAIL SIZE OVERE-2) BUSY  
E-4) NO FACSIMILE CONNECTIONPlease type a plus sign (+) inside this box → **[+]**

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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		Filing Date	November 20, 2000
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		57.0286	

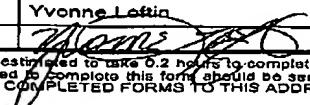
<b>ENCLOSURES (check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Remarks	
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<b>GROUP 3600</b>			

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Stephen Schlather
Signature	
Date	April 25, 2003

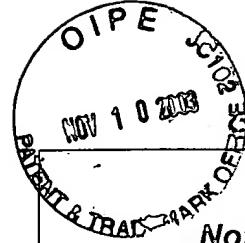
**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent via Facsimile to: Commissioner for Patents, Washington, DC 20231 on:

April 25, 2003

Typed or printed name	Yvonne Loftin	Date	April 25, 2003
Signature			

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# Exhibit C

## Notice of Abandonment

Application No.

09/647,272

Examiner

William P Neuder

Applicant(s)

DAVIES ET AL.

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 07 January 2003.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

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GROUP 3600

William P Neuder  
Primary Examiner  
Art Unit: 3672

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.